

IN RE: PETITION FOR ZONING VARIANCE
NE/S Banat Court, 155' E
of c/l of Balistan Road
5 Banat Court
14th Election District
6th Councilmanic District
Paul L. Devine, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-398-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1802.3.B (1801.2.C.4.1975) to allow side yard setbacks of 6-1/2 ft. for a proposed addition and 9 ft. for an existing addition in lieu of the required 8 ft. and 12 ft., respectively; and to amend the Second Amended Partial Development of Kings Court, Section III, Phase I, Lot 9 (#5 Banat Court) to allow construction outside of the building envelope, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners, Paul L. and Angeline Devine, appeared and testified. Mr. Edwin Stretch, an Architect, appeared in support of the Petition. There were no Protestants.

Testimony indicated that the subject property, known as 5 Banat Court consists of .208 acres +/-, zoned D.R.5.5 and is improved with an existing single family dwelling and attached garage.

Testimony indicated that the Petitioners are desirous of constructing a 9-1/2 x 16 ft. family room addition on their kitchen.

Testimony also indicated that in 1982, Petitioners contracted to have the carport on the south side of their home enclosed. The Petitioners testified they were assured that the necessary permits were obtained by their contractor prior to the commencement of work on their carport. The Petitioners were subsequently advised that the carport was enclosed contrary to the requirements of the Baltimore County Zoning Regulations (B.C.Z.R.).

Mr. Edwin Stretch testified that the proposed location of the addition is the only feasible location in view of the layout of the lot and Petitioners' home thereon.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variances were not granted. It has been established that the requirements from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of April, 1990 that the Petition for a Zoning Variance to allow side yard setbacks of 6-1/2 ft. for a proposed addition and 9 ft. for an existing addition in lieu of the required 8 ft. and 12 ft., respectively; and to amend the Second Amended Partial Development of Kings Court, Section III, Phase I, Lot 9 (#5 Banat Court) to allow construction outside of the building, in accordance with Petitioners' Exhibit No. 1 is hereby GRANTED.

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

JRH/mm
cc: Peoples Counsel

2. The Petitioners shall not allow or cause the subject addition to be converted to a second dwelling unit and/or apartment.
3. Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 4/25/90
By M. H. Hark

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ORDER RECEIVED FOR FILING
Date 4/25/90
By M. H. Hark

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-398-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.B (1801.2.C.4.1975) -- To allow side yard setbacks of 6-1/2 ft. for a proposed addition and 9 feet for an existing addition in lieu of the required 8 feet and 12 feet, respectively; AND TO amend the Second Amended Partial Development of Kings Court, Section III, Phase I, Lot 9 (#5 Banat Court) to allow construction outside of the building envelope.

envelope.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

(over)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of this property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

(Type or Print Name)

Signature

Address

City and State

Signature

Address

City and State

Signature

Address

City and State

Signature

Address

City and State

Signature

Address

City and State

Signature

Address

City and State

ZONING DESCRIPTION :

Beginning at a point on the east side of Banat Court which is a 92 ft. dia. court at a distance of 155.00 ft. east of the centerline of the nearest improved intersecting street, Balistan Road (Private Road) which is 50' wide, improved intersecting street, Balistan Road (Private Road) as recorded in Being Lot No. 9, Block B, Section III of Phase I of King's Court as recorded in Baltimore County Plat Book No. E.H.K.Jr. 42, Folio No. 76, containing 9,086 SF. Also known as 5 Banat Court and located in the 14th Election District.

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R 0014150
Number

Receipt
N 2180

90-398

15000696

4/18/90

PUBLIC HEARING FEES

QTY PRICE

080 -POSTING SIGNS / ADVERTISING 1 X \$113.51

TOTAL: \$113.51

LAST NAME OF OWNER: DEVINE

B 8113*****113511a 3198F

Please make checks payable to: Baltimore County

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of successive weeks, the first publication appearing on March 28, 1990.

NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER

S. Zeke Orlean
Publisher

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

DATE 4-5-90

Mr. & Mrs. Paul L. Devine
5 Banat Court
Rossville, Maryland 21237

Re: Petition for Zoning Variance
CASE NUMBER: 90-398-A
NE/S Banat Court, 155' E of c/l Balistan Road
5 Banat Court
14th Election District - 6th Councilmanic
Petitioner(s): Paul L. Devine, et ux
HEARING: WEDNESDAY, APRIL 18, 1990 at 2:30 p.m.

Dear Mr. & Mrs. Devine:

Please be advised that \$113.51 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRH:gs

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

March 5, 1990

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 90-398-A
NE/S Banat Court, 155' E of c/l Balistan Road
5 Banat Court
14th Election District - 6th Councilmanic
Petitioner(s): Paul L. Devine, et ux
HEARING: WEDNESDAY, APRIL 18, 1990 at 2:30 p.m.

Variance to allow side yard setbacks of 6 1/2 ft. for a proposed addition and 9 ft. for an existing addition in lieu of the required 8 ft. and 12 ft., respectively and to amend the Second Amended Partial Development of Kings Court, Section III, Phase I, Lot 9 to allow construction outside of the building envelope.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

cc: Mr. & Mrs. Devine
Edwin N. Stretch

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

April 2, 1990

Mr. & Mrs. Paul L. Devine
5 Banat Court
Rossville, MD 21237

RE: Item No. 258, Case No. 90-398-A
Petitioner: Paul L. Devine, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Devine:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Edwin N. Stretch
713 S. Bond Street
Baltimore, MD 21231

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

Your petition has been received and accepted for filing this
28th day of February, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman
Zoning Plans Advisory Committee

Petitioner: Paul L. Devine, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: February 15, 1990
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Paul L. Devine, Item 258

The Petitioner requests a Variance for relief from setback requirements and to amend the development plan.

In reference to the Petitioner's request, staff offers no comment.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

FEB 21 1990

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

March 9, 1990

J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 252, 253, 254, 255, 256, 257 and 258.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/lab

MAR 21 1990

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500
Paul H. Reincke
Chief

FEBRUARY 14, 1990

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: PAUL L. DEVINE, ET UX

Location: #5 BANAT COURT

Item No.: 258 Zoning Agenda: FEBRUARY 27, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Pat Keller* 2-14-90
Planning/Group
Special Inspection Division

Noted and

Approved

Fire Prevention Bureau

JK/KEK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: March 5, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for February 27, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 252, 253, 255, 256, 257 and 258.

Item 254 is subject to the previous County Review Group comments for this site.

Item 128 is subject to the prior comments.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

April 23, 1990

Mr. and Mrs. Paul L. Devine
5 Banat Court
Rossville, Maryland 21237

RE: Petition for Zoning Variance
Case No. 90-398-A

Dear Mr. and Mrs. Devine:

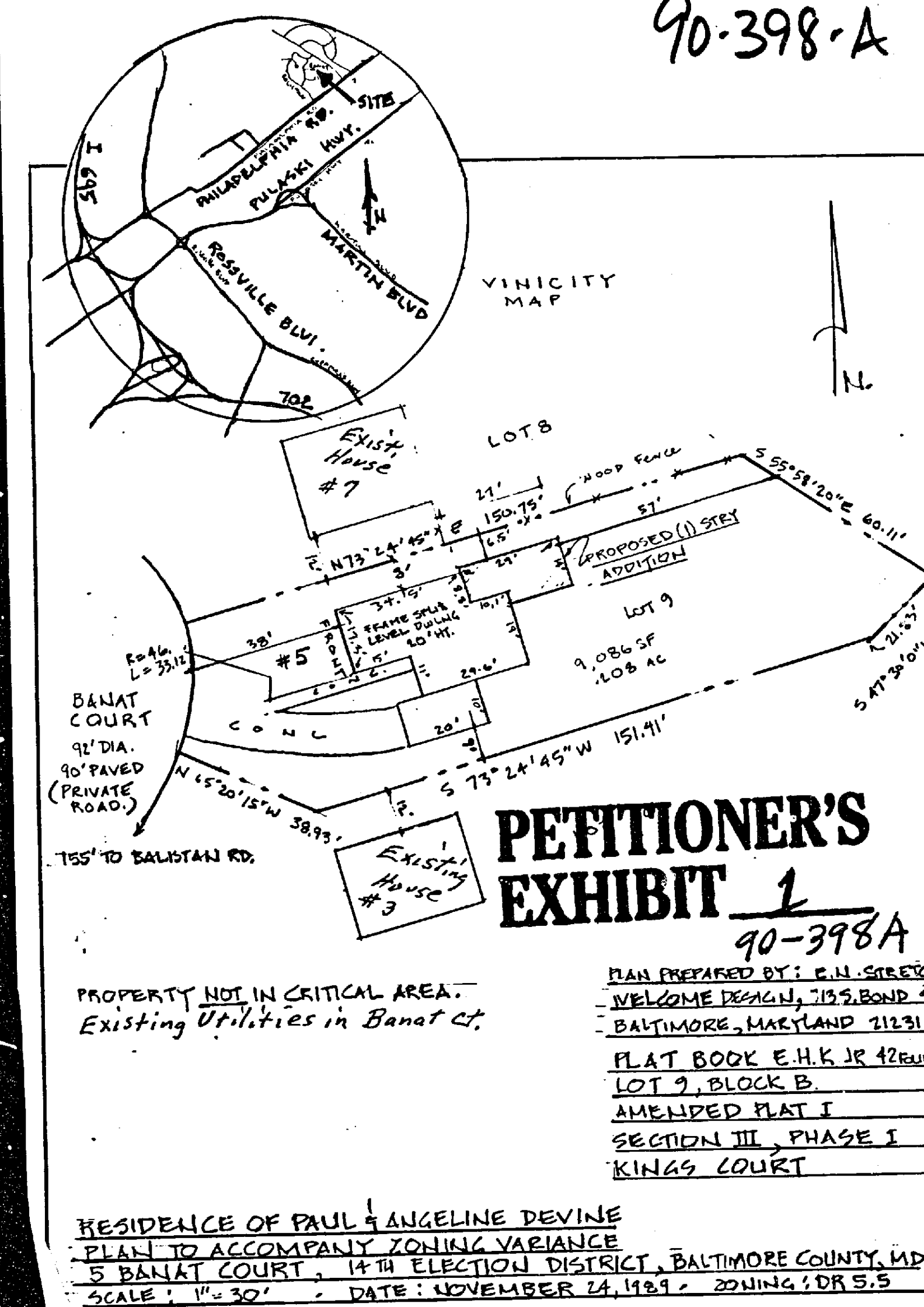
Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted in accordance with the attached Order.

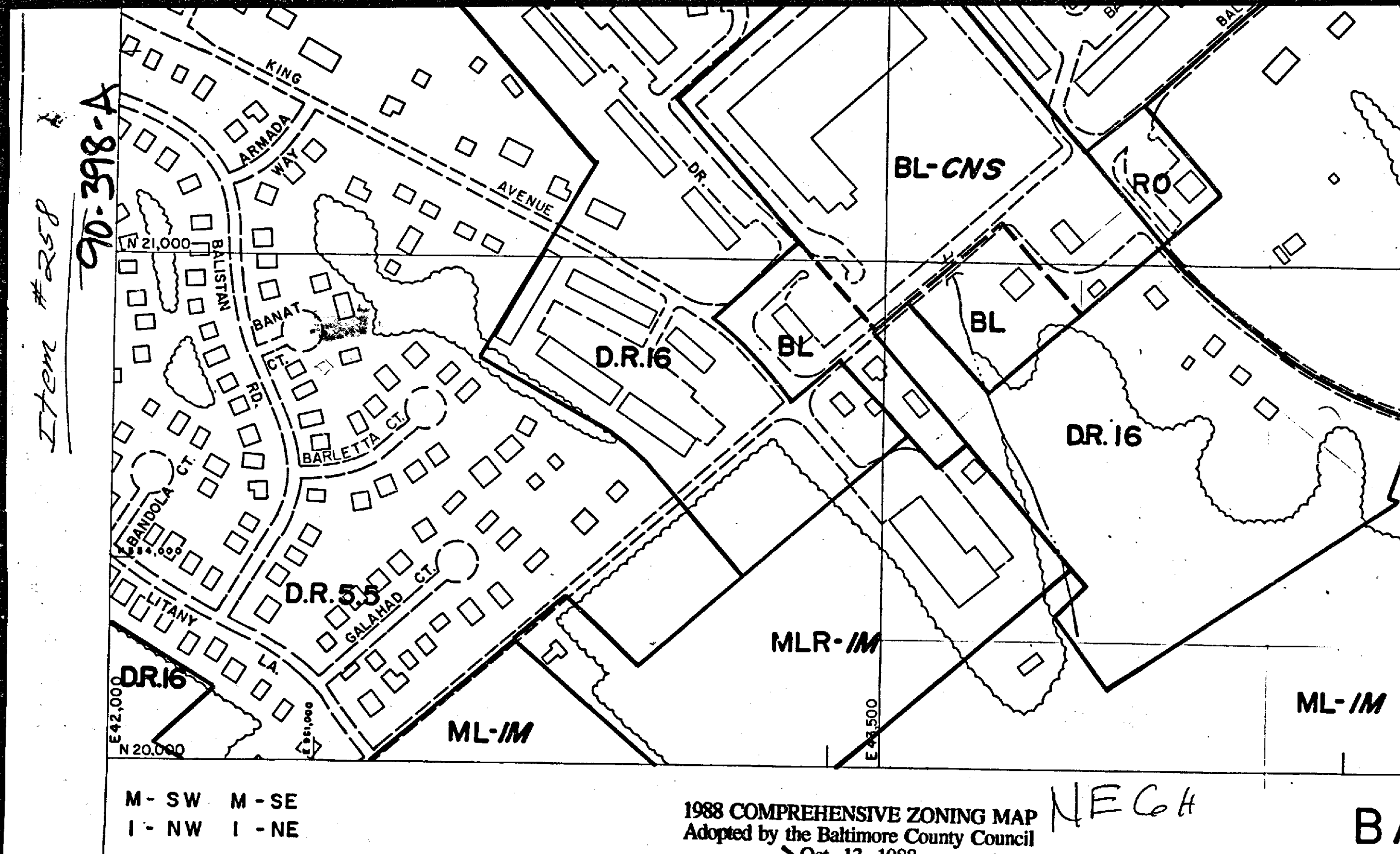
In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mm
att.
cc: Peoples Counsel





receipt

Account: R-001-6150
Number

119000258

Date: 2/09/90

PUBLIC HEARING FEES	QTY	PRICE
010 - ZONING VARIANCE (IRL)	1	\$35.00
TOTAL		\$35.00

LAST NAME OF OWNER: DEVINE

Please make checks payable to Baltimore County

Cashier Validation:

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 14TH

Date of Posting: 2/1/90

Posted for: Variance

Petitioner: Paul H. Devine, et al.

Location of property: NEHS Banat Ct., 135 E. Calhoun Rd.
5 Banat Ct.

Location of Signs: Signs Banat Ct., approx 90' Fr. road way,
on property of Petitioner

Remarks:

Posted by: M. Devine

Date of return: 2/6/90

Number of Signs: 1

IN RE: PETITION FOR ZONING VARIANCE
NE/S Banat Court, 155' E
of c/l of Balistan Road
5 Banat Court
14th Election District
6th Councilmanic District
Paul L. Devine, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-398-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1802.3.B (1801.2.C.4.1975) to allow side yard setbacks of 6-1/2 ft. for a proposed addition and 9 ft. for an existing addition in lieu of the required 8 ft. and 12 ft., respectively; and to amend the Second Amended Partial Development of Kings Court, Section III, Phase I, Lot 9 (#5 Banat Court) to allow construction outside of the building envelope, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners, Paul L. and Angeline Devine, appeared and testified. Mr. Edwin Stretch, an Architect, appeared in support of the Petition. There were no Protestants.

Testimony indicated that the subject property, known as 5 Banat Court consists of .208 acres +/-, zoned D.R.5.5 and is improved with an existing single family dwelling and attached garage.

Testimony indicated that the Petitioners are desirous of constructing a 9-1/2 x 16 ft. family room addition on their kitchen.

ORDER RECEIVED FOR FILING
Date 4/2/90
By M. H. Hines

Testimony also indicated that in 1982, Petitioners contracted to have the carport on the south side of their home enclosed. The Petitioners testified they were assured that the necessary permits were obtained by their contractor prior to the commencement of work on their carport. The Petitioners were subsequently advised that the carport was enclosed contrary to the requirements of the Baltimore County Zoning Regulations (B.C.Z.R.).

Mr. Edwin Stretch testified that the proposed location of the addition is the only feasible location in view of the layout of the lot and Petitioners' home thereon.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

ORDER RECEIVED FOR FILING
Date 4/2/90
By M. H. Hines

It is clear from the testimony that if the variances are granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variances were not granted. It has been established that the requirements from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of April, 1990 that the Petition for a Zoning Variance to allow side yard setbacks of 6-1/2 ft. for a proposed addition and 9 ft. for an existing addition in lieu of the required 8 ft. and 12 ft., respectively; and to amend the Second Amended Partial Development of Kings Court, Section III, Phase I, Lot 9 (#5 Banat Court) to allow construction outside of the building, in accordance with Petitioners' Exhibit No. 1 is hereby GRANTED.

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

ORDER RECEIVED FOR FILING
Date 4/2/90
By M. H. Hines

JRH/mm
cc: Peoples Counsel

2. The Petitioners shall not allow or cause the subject addition to be converted to a second dwelling unit and/or apartment.
3. Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Hines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-398-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.B (1801.2.C.4.1975) -- To allow side yard setbacks of 6-1/2 feet for a proposed addition and 9 feet for an existing addition in lieu of the required 8 feet and 12 feet, respectively; AND TO amend the Second Amended Partial Development of Kings Court, Section III, Phase I, Lot 9 (#5 Banat Court) to allow construction outside of the building envelope.

envelope.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

(over)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of this property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

(Type or Print Name)

Signature

Address

City and State

Signature

Address

City and State

Signature

Address

City and State

Signature

Address

City and State

Signature

Address

City and State

Signature

Address

City and State

ZONING DESCRIPTION :

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Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R 0014150
Number

Receipt
N 2180

90-398

15000696

Date

4/18/90

PUBLIC HEARING FEES

080 -POSTING SIGNS / ADVERTISING 1 X \$113.51

LAST NAME OF OWNER: DEVINE

Signature

Address

City and State

Signature

Address

City and State

Signature

Address

City and State

Signature

Address

City and State

Signature

Address

City and State

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of successive weeks, the first publication appearing on March 28, 1990.

NORTHEAST TIMES BOOSTER and the
NORTHEAST TIMES REPORTER

S. Zeke Orlean
Publisher

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Hines
Zoning Commissioner

DATE 4-5-90

Mr. & Mrs. Paul L. Devine
5 Banat Court
Rossville, Maryland 21237

Re: Petition for Zoning Variance
CASE NUMBER: 90-398-A
NE/S Banat Court, 155' E of c/l Balistan Road
5 Banat Court
14th Election District - 6th Councilmanic
Petitioner(s): Paul L. Devine, et ux
HEARING: WEDNESDAY, APRIL 18, 1990 at 2:30 p.m.

Dear Mr. & Mrs. Devine:

Please be advised that \$113.51 is due for advertising and posting of the above captioned property.

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Very truly yours,

J. Robert Hines
J. ROBERT HAINES
ZONING COMMISSIONER

JRH:gs

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Hines
Zoning Commissioner

March 5, 1990

NOTICE OF HEARING

Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

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J. Robert Hines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

cc: Mr. & Mrs. Devine
Edwin N. Stretch

ESTIMATED LENGTH OF HEARING 15 MIN.
AVAILABLE FOR HEARING 10:00 AM - 12:00 PM
ALL OTHERS - NEXT TWO WEEKS
REVIEWED BY: J. Robert Hines
DATE: 4-7-90

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

April 2, 1990

Mr. & Mrs. Paul L. Devine
5 Banat Court
Rossville, MD 21237

RE: Item No. 258, Case No. 90-398-A
Petitioner: Paul L. Devine, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Devine:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Edwin N. Stretch
713 S. Bond Street
Baltimore, MD 21231

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

Your petition has been received and accepted for filing this
28th day of February, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman
Zoning Plans Advisory Committee

Petitioner: Paul L. Devine, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: February 15, 1990
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Paul L. Devine, Item 258

The Petitioner requests a Variance for relief from setback requirements and to amend the development plan.

In reference to the Petitioner's request, staff offers no comment.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

FEB 21 1990

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

March 9, 1990

J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 252, 253, 254, 255, 256, 257 and 258.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/lab

MAR 21 1990

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500
Paul H. Reincke
Chief

FEBRUARY 14, 1990

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: PAUL L. DEVINE, ET UX

Location: #5 BANAT COURT

Item No.: 258 Zoning Agenda: FEBRUARY 27, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Pat Keller* 2-14-90
Planning/Group
Special Inspection Division

Noted and

Approved

Fire Prevention Bureau

JK/KEK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: March 5, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for February 27, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 252, 253, 255, 256, 257 and 258.

Item 254 is subject to the previous County Review Group comments for this site.

Item 128 is subject to the prior comments.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

April 23, 1990

Mr. and Mrs. Paul L. Devine
5 Banat Court
Rossville, Maryland 21237

RE: Petition for Zoning Variance
Case No. 90-398-A

Dear Mr. and Mrs. Devine:

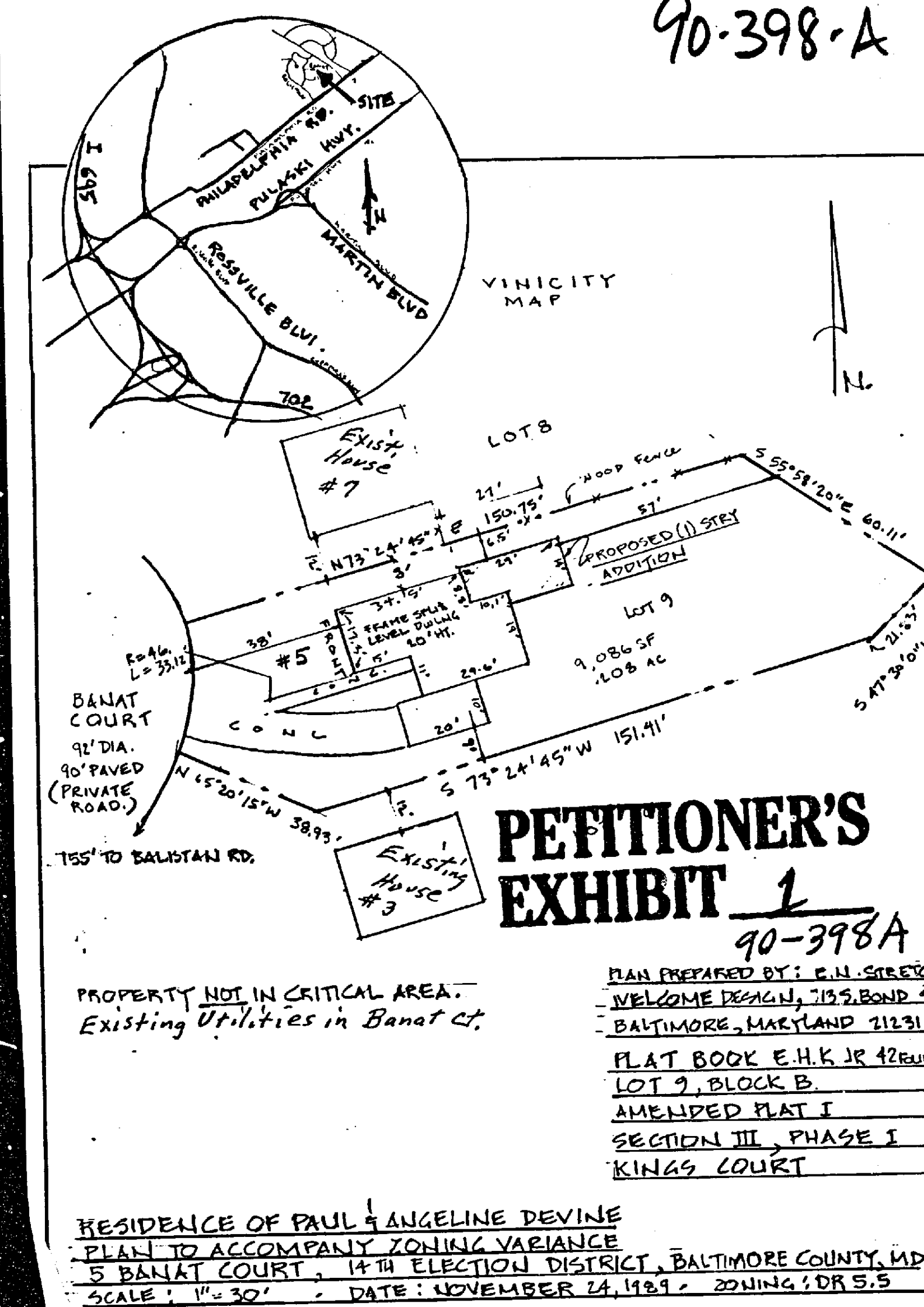
Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted in accordance with the attached Order.

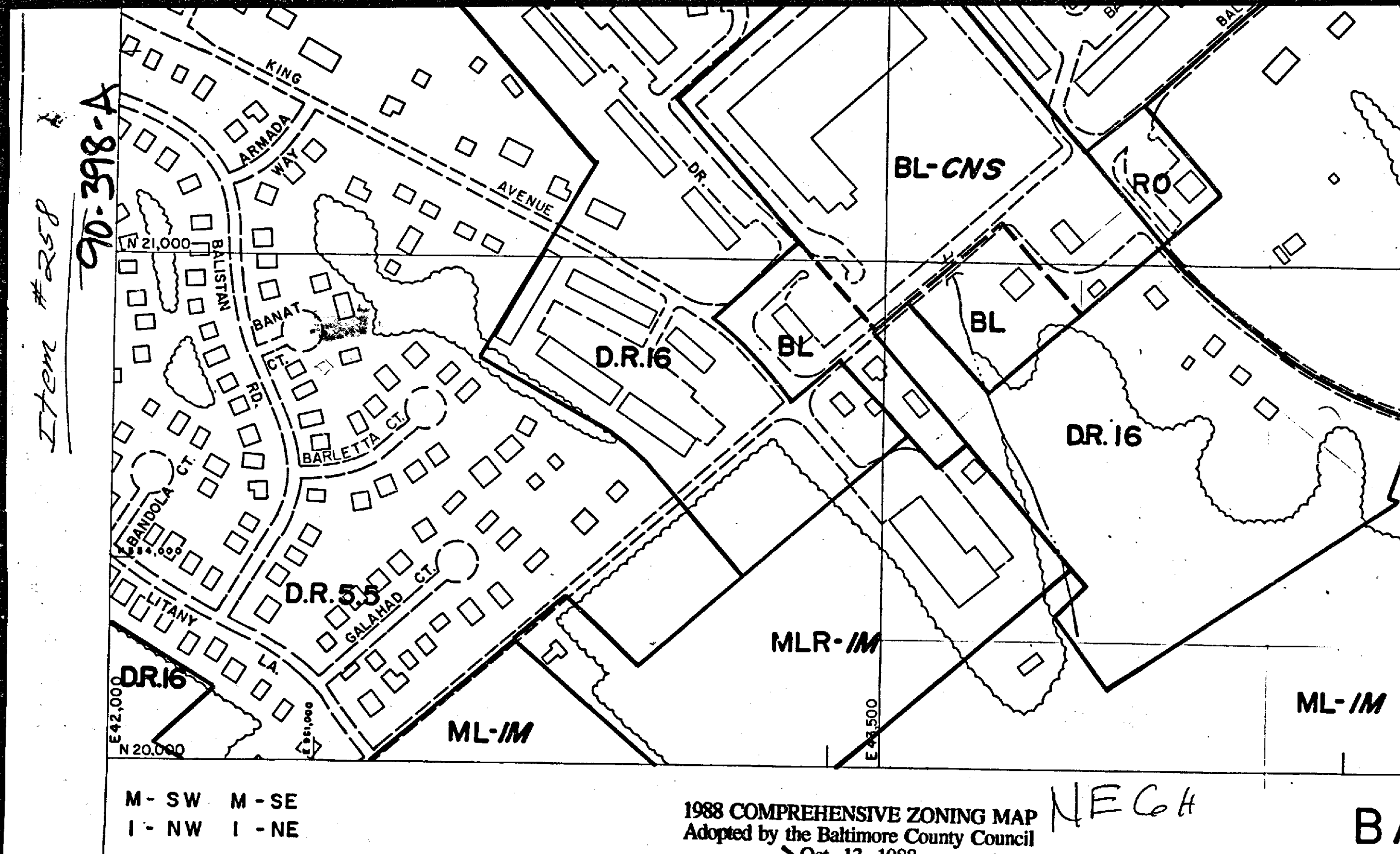
In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mm
att.
cc: Peoples Counsel





receipt

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Date: 2/09/90

119000258

PUBLIC HEARING FEES	QTY	PRICE
010 - ZONING VARIANCE (IRL)	1	\$35.00
TOTAL		\$35.00

LAST NAME OF OWNER: DEVINE

Please make checks payable to Baltimore County

Cashier Validation:

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 14TH

Date of Posting: 2/1/90

Posted for: Variance

Petitioner: Paul H. Devine, et al.

Location of property: NEHS Banat Ct., 135' E. Calinton Rd.
5 Banat Ct.

Location of Signs: Signs Banat Ct., approx 90' Fr. road way,
on property of Petitioner

Remarks:

Posted by: M. Devine

Date of return: 2/6/90

Number of Signs: 1